

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:04cv474

BROWN)
)
)
vs.) O R D E R
)
)
CAPITAL FIRST, et al.)
)

THIS MATTER is before the Court on a number of pending motions filed by defendants relating to the original complaint and the first amended complaint in this matter. Since the filing of the motions, the plaintiff has filed a second amended complaint (Doc. No. 51). Thus, it is no longer necessary for the Court to rule on the motions.

IT IS, THEREFORE, ORDERED, that the following motions are DENIED as moot:

Motion to Dismiss by Prescott Investments and Michael Todd (Doc. No. 4);

Motion to Dismiss by Capital First Corp. (Doc. No. 6);

Motion to Dismiss Amended Complaint by Capital First Corp. (Doc. No. 22);

Motion to Dismiss Amended Complaint by Prescott Investments and Michael Todd (Doc. No. 27);

Motion to Transfer Case by Capital First Corp. (Doc. No. 40); and

Motion to Extend Time to Reply by Capital First Corp. (Doc. No. 44).

The Clerk is directed to send copies of this Order to counsel for the parties.

Signed: September 8, 2005

Robert J. Conrad Jr.

Robert J. Conrad, Jr.
United States District Judge

